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RELEASED IN PART
B1, 1.4(D)

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	DOEE-00	PDI-00	DS-00	EAP-00	EB-00	EUR-00	VCJ-00
	H-00	TEDE-00	INR-00	IO-00	LAB-01	L-00	VCIE-00
	NSAE-00	ISN-00	OIC-00	OMB-00	NIMA-00	PA-00	GIWI-00
	PRS-00	P-00	ISNE-00	DOHS-00	FMPC-00	SP-00	IRM-00
	SSO-00	SS-00	STR-00	TRSE-00	BBG-00	R-00	ECA-00
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FM AMEMBASSY CARACAS

TO SECSTATE WASHDC PRIORITY 3380

INFO AMEMBASSY BOGOTA PRIORITY

AMEMBASSY BRASILIA PRIORITY

AMEMBASSY BRUSSELS PRIORITY

AMEMBASSY COPENHAGEN PRIORITY

AMEMBASSY LA PAZ PRIORITY

AMEMBASSY LIMA PRIORITY

AMEMBASSY LISBON PRIORITY

AMEMBASSY LONDON PRIORITY

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AMEMBASSY MEXICO PRIORITY

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AMEMBASSY PARIS PRIORITY

AMEMBASSY QUITO PRIORITY

AMEMBASSY ROME PRIORITY

AMEMBASSY THE HAGUE PRIORITY

AMEMBASSY VATICAN PRIORITY

AMCONSUL CURACAO PRIORITY

HQ USSOUTHCOM MIAMI FL PRIORITY

NSC WASHDC PRIORITY

USINT HAVANA PRIORITY

C O N F I D E N T I A L CARACAS 000536

SIPDIS

E.O. 12958: DECL: 02/03/2021

TAGS: PGOV, PHUM, KPAO, KDEM, VE

SUBJECT: VENEZUELAN PRESS

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Classified By: Robert Downes, Political Counselor,
for Reason 1.4(b).

Summary

UNITED STATES DEPARTMENT OF STATE
REVIEW AUTHORITY: OSCAR J OLSON
CLASSIFICATION: CONFIDENTIAL REASON: 1.4(D)
DECLASSIFY AFTER: 3 FEB 2026
DATE/CASE ID: 25 FEB 2009 200705281

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1. (C) [REDACTED]

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[REDACTED] Following a January 23 court ruling that severely limited the media's ability to report on the case of assassinated prosecutor Danilo Anderson, [REDACTED]

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[REDACTED] A February 20 appeals court ruling supported the judiciary's earlier decision to limit freedom of expression on the Anderson case. [REDACTED]

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[REDACTED] International press NGOs Reporters without Borders and the Inter-American Press Association have criticized these recent actions as assaults on the freedom of expression. [REDACTED]

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Court Rules Against Media Censorship Appeal

2. (C) A Caracas appeals court upheld February 20 the January 23 ruling prohibiting media comment on all legal proceedings in the case of assassinated prosecutor Danilo Anderson, as well as comment on the private life of Giovanni Jose Vasquez de Armas -- the government's primary witness in the case. (Note: An example of the reporting being banned were broadcasts and articles indicating Vasquez de Armas was in jail in Colombia on a date he claimed to have attended a secret meeting in Panama with the accused.) In doing so, the court sustained the attorney general's argument that media outlets were liable for publishing information on the case under the Social Responsibility Law for Radio and Television which allows that society's interests may outweigh the right to free speech in certain circumstance -- a ruling condemned by both the Inter-American Press Association and Reporters without Borders as a clear example of "state censorship." The February 20 appeal was championed by media outlet RCTV, which argued that the January 23 ruling violated the right to free speech and information. Separate appeals motions by the National Union of Press Workers, Tal Cual editor Teodoro

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Petkoff and Otoniel Guevara were denied by a different Caracas appeals court February 15.

3. (C)

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RCTV vowed February 20 to appeal the decision to the Supreme Court, claiming the appeals court had not accounted for evidence proving the censure was unconstitutional.

Globovision head Alberto Ravell told the press February 20 that Globovision would continue to pursue the case as it had since the night Anderson was killed.⁸ After the appeals court ruling, Globovision broadcasts showed blacked out documents on air, in accordance with only the strictest

letter of the law,

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Globovision continued to report on the case, its legal proceedings and several case files are still available in their entirety on Globovision's website. Caracas, leading newspapers) El Universal and El Nacional) both published editorials blasting the appeals court ruling and continued to report on the case, but were more conservative than the television broadcasters.

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Communications Ministry Speaks Out...Against the Press

4. (C) The Communications Ministry warned Caracas daily El Nacional February 21 that it could be criminally liable for an editorial published February 21 entitled "The Threat of Reelection" if it did not back up the 8 accusations⁸ contained in the opinion piece. The editorial accused the government of manufacturing electronic votes to artificially diminish abstention rates in the upcoming December Presidential elections. The Ministry called the piece "false and irresponsible" and attributed its contents to "the matrix of opinion invented by the Bush administration to delegitimize (Venezuelan) democracy and justify (military) aggression." Meanwhile, in a public statement before the National Assembly February 22, Communications Minister Yuri Pimentel continued the Ministry's offensive against the press. Pimentel called upon the National Telecommunications Commission (Conatel) to fine media outlets which violate the

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January 23 ruling censuring press comment on the Danilo Anderson case. Pimentel singled out a newspaper interview by Globovision head Alberto Ravell in which Ravell made statements about the legality of the Anderson case as an example of a violation of the court prohibition on public comment on the case. Neither El Nacional or Globovision have responded to the Ministry's attacks and the attorney general's office and Conatel have thus far been silent as to whether they intend to open investigations.

Attorney General Targets Opposition Media

5. (C)

[REDACTED] The government recently brought criminal defamation charges against Bravo for comments he made in 2004 which allegedly disparaged the Supreme Court. [REDACTED]

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[REDACTED] International press NGO Reporters without Frontiers issued a press release February 10 defending Bravo. Separately, Attorney General Isaias Rodriguez announced February 16 that he planned to request the extradition of well-known opposition journalist Patricia Poleo. Poleo fled the country in November 2005 after the government accused her and three others including businessman Nelson Mezerhane of being the intellectual authors of the November 2004 killing of prosecutor Danilo Anderson. [REDACTED]

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Tal Cual Editor Faces Criminal Charges

6. (C) Tal Cual editor and rumored Presidential hopeful Teodoro Petkoff was forced to defend himself against BRV prosecutorial action stemming from his decision to publish a satirical essay written as an open letter to President Chavez's daughter. The essay, entitled "Dear Rosines", was a response to Chavez's announcement that he wanted to change the Venezuelan coat of arms at the request of his daughter, and was modeled after the "Dear Amy" parody inflicted upon

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President Carter during his term in office. Petkoff faces two separate legal proceedings on the case -- one administrative, brought before the BRV Council for the Protection of Children and Adolescents, and the other a criminal case brought before the Protection of Children and Adolescents Court on February 6.

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